

REMARKS

This amendment is responsive to the Office Action that was mailed May 9, 2005 (hereinafter "Office Action").

Priority

The Office Action noted that the captioned application is intended to claim the benefit of Application No. 60/449,822, filed February 24, 2003, but also noted that a reference to the earlier filed application is not included in the specification. Applicants' benefit claim was previously recognized by the Office as shown by its inclusion on the filing receipt mailed May 14, 2004. An application data sheet that was believed to be in compliance with 37 C.F.R. §1.76(5) was filed with the instant application on February 20, 2004. A copy of this application data sheet is enclosed for the convenience of the Office. If for any reason the reference to the prior application on the enclosed application data sheet is deficient under 37 C.F.R. §1.76, Applicants request the opportunity to correct such deficiency and thereby perfect this benefit claim under M.P.E.P. §201.11.

Amendments to the Specification

The specification has been amended at page 3, lines 11-14 to recite the current status of the referenced U.S. application.

Paragraphs on pages 7, 9 and 10 have been amended to insert the reference numbers 10, 92, 70 and 38 into portions of the text associated with FIG. 1.

No new matter has been introduced by any of these amendments,

Corrections To The Drawings

Applicant has corrected FIG. 1 by deleting reference numbers 62, 82, and 110. A replacement sheet illustrating FIGs. 1 and 2 is enclosed herewith.

Amendments To The Claims

Claim 1 has been amended to provide antecedent basis for the catalyst bed as an element of the steam reformer. No new matter is introduced by this amendment nor does it constitute a narrowing of the scope of original claim 1.

Claims 11-27 have been cancelled without prejudice.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 1-3 and 5-10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Rostrop-Nielsen et al. (US 5,932,141) in view of Stevens (USP 2002/0155329).

Stevens is disqualified as prior art against the claimed invention under 35 U.S.C. §103(c) because the claimed invention and Stevens were commonly owned or subject to an obligation of assignment to the same company at the time the invention was made. Specifically, ***the captioned application, U.S.S.N. 10/783,505, and US Patent Application Publication No. 2002/0155329, now U.S. Patent No. 6,682,838, were, at the time the invention of U.S.S.N. 10/783,505 was made, were commonly owned by, or were subject to an obligation of assignment to Texaco, Inc.***

In addition, it should be noted that Rostrop-Nielsen is directed to an apparatus for producing syngas. The focus of Rostrop-Nielsen is on the use of a tubular reactor and/or tubular coils that have a thin layer of reforming catalyst applied to the inner surfaces of the heat exchange tube. The purpose of this so-called "catalyzed hardware" is to improve the heat transfer between a heat source external to the tube and the catalyst located within the tube. It is asserted that because of improvements in heat transfer, the temperatures of the inner tube wall and catalyst are nearly identical so that both a higher catalyst temperature and lower tube temperature are possible. Because, less heat is applied to the outer wall of the tube to achieve a desired catalyst temperature, the thickness of the tube can be reduced and its lifetime prolonged. Col. 1, lines 33-58. Because

of these teachings, Applicants question whether one of skill in the art would have been motivated to incorporate a material such as a carbon dioxide fixing material into tubular reactor 5 when such materials require regeneration at high temperatures. Applicants maintain that Rostrop-Nielsen teaches away from conducting high temperature operations such as the regeneration of a carbon dioxide fixing material within the catalyzed hardware of tubular reactor 5.

Reconsideration and withdrawal of the rejection of claims 1-3 and 5-10 under 35 U.S.C. §103(a) over Rostrop-Nielsen in view of Stevens is respectfully requested.

Claim 4 stands rejected under 35 U.S.C. §103(a) over Rostrop-Nielsen et al. (US 5,932,141) in view of Stevens (USP 2002/0155329) and further in view of Buswell et al. (US 5,360,679). Claim 4 is believed to be in condition for allowance by virtue of its dependency from claim 1. Moreover, as was noted above, Stevens is disqualified as prior art against the claimed invention under 35 U.S.C. §103(c) because the claimed invention and Stevens were commonly owned or subject to an obligation of assignment to the same company at the time the invention was made. A statement of common ownership is set forth above.

Reconsideration and withdrawal of the rejection of claim 4 under 35 U.S.C. §103(a), over Rostrop-Nielsen in view of Stevens, and further in view of Buswell is respectfully requested.

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All of the stated grounds of objection and rejection are believed to have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner

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believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank C. Turner", is written over a horizontal line.

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